

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

IN RE: **MARIPOSA PINES MUTUAL WATER COMPANY**
 Water System No. 2210906

TO: Mr. Tom Atkins, Board President
 Mariposa Pines Mutual Water Company
 7126 Hites Cove Road
 Mariposa, CA 95338

CC: Mariposa County Environmental Health Department
 Larry Harris (5460 Carleton Rd., Mariposa, CA 95338)

CITATION FOR NONCOMPLIANCE
TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION
January 2013

Section 116650, Chapter 4, Part 12, Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued thereunder.

VIOLATION

The Drinking Water Field Operations Branch of the California Department of Public Health (hereinafter 'Department') hereby issues a Citation to the Mariposa Pines Mutual Water Company (hereinafter 'Company'), for failure to comply with Section 116555(a)(1) of the CHSC and Section 64426.1(b)(2) of Title 22, California Code of Regulations (CCR).

1 Specifically, the Company (mailing address: 7126 Hites Cove Road, Mariposa, CA 95338)
2 failed to comply with the total coliform Maximum Contaminant Level (MCL) for the month
3 of January 2013.

4
5 Section 64426.1(b)(2) specifies that a public water system collecting fewer than forty
6 samples per month is in violation of the total coliform MCL when more than one sample
7 collected during any month is total coliform-positive.

8
9 The Company is required to collect a minimum of one distribution system bacteriological
10 sample per month. The routine monthly sample collected on January 2, 2013, tested
11 positive for total coliform bacteria. The sample was negative for E.coli and/or fecal
12 coliform bacteria. Four repeat samples were collected on January 3, 2013. Two of the four
13 repeat samples tested positive for total coliform bacteria. The samples were negative for
14 E.coli and/or fecal coliform bacteria. Company staff notified the Department on January 4,
15 2013 of the total coliform positive sample. The Company was directed to conduct
16 emergency disinfection of the distribution system by Department staff. The system was
17 disinfected and flushed between January 4, 2013 and January 16, 2013. A second set of
18 repeat samples was collected on January 17, 2013. All samples were negative for coliform
19 bacteria. Due to the three total coliform positive samples collected in a month, the
20 Company failed the Total Coliform Rule for January 2013. A summary of the samples
21 collected in January 2013 is included in Attachment A.

22
23 The cause of the contamination is thought to be from one of the three storage tanks. The
24 Company conducted an investigation of the storage tanks and distribution system and found
25 that one of the vents was unscreened. The Company installed the proper screen on the vent.

26
27 The above violation is classified as a non-continuing violation.

1
2 **NOTIFICATION REQUIREMENTS**

3 Section 64426.1(c) requires a public water system to notify the Department and the
4 consumers of the water system, when a violation of Section 64426.1(b) (1) through (4)
5 occurs. Notification to the Department shall be by the end of the business day on which the
6 violation has been determined. If the Department is closed, notification shall be within 24
7 hours of the determination. The Department was notified on January 4, 2013, in accordance
8 with the above-referenced section.

9
10 A Tier 2 Public Notice for violations of paragraphs 64426.1(b) (2) shall be given pursuant
11 to Sections 64463.4 and 64465. The Tier 2 Public Notice shall include the mandatory
12 health effects language from Appendix 64465-A for a total coliform MCL failure.

13
14 Section 64463.4 allows community water systems to use mail or direct delivery methods to
15 notify customers and the use of one or more of the following methods to notify persons not
16 likely reached by mail or direct delivery: publication in a daily or weekly newspaper,
17 posting the public notice in a conspicuous public place within the water system or on the
18 internet, or by delivery to community organizations. The Tier 2 notification methods are
19 included in Attachment B along with instructions on completing the public notice.

20 The Company may use mail or direct delivery methods to notify customers in the general
21 service area and use of one or more of the following methods to notify persons not likely
22 reached by mail or direct delivery: publication in a daily or weekly newspaper, posting the
23 public notice in a conspicuous public place within the water system or on the internet, or by
24 delivery to community organizations. Section 116450(g) requires that upon receipt of
25 notification from a public water system, schools must notify school employees, students,
26 and parents (if the students are minors), residential rental property owners or managers
27

1 (including nursing homes and care facilities) must notify their tenants and business property
2 owners, managers or operators must notify employees of businesses located on the property.
3 These secondary notification requirements are included in the public notice.

4
5 Proof of notification is required. The Company shall complete Attachment C and return it
6 to the Department by **February 15, 2012.**

1 **DIRECTIVES**

2 The Mariposa Pines Mutual Water Company is hereby directed to take the following
3 actions:

- 4
- 5 1. By **February 8, 2013**, the Company shall provide public notification of the total
6 coliform Maximum Contaminant Level failure by direct delivery by hand or mail to
7 each consumer and posting the public notice in conspicuous public places within the
8 water system or on the internet (see Attachment B).
- 9
- 10 2. By **February 15, 2013**, the Company shall provide proof of hand or mail delivery
11 and posting the public notice in conspicuous public places within the water system
12 or on the internet of the total coliform MCL violation notification to each consumer
13 using Attachment C.
- 14
- 15 3. By **February 15, 2013**, the Company shall prepare and submit the Positive Total
16 Coliform Investigation (Attachment D) form.
- 17
- 18 4. The Company shall collect five (5) routine samples for total coliform analysis during
19 the month of February 2013.
- 20
- 21 5. All submittals required by this Citation shall be addressed to:

22 Carl L. Carlucci, Supervising Sanitary Engineer
23 California Department of Public Health
24 Drinking Water Field Operations Branch
25 265 W Bullard Avenue, Suite 101
26 Fresno, CA 93704

27

CIVIL PENALTIES

Sections 116650(d) and 116650(e) of the CHSC allow for the assessment of a civil penalty for failure to comply with requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the Department imposing an administrative penalty of not less than \$100 (one hundred dollars) per day as of the date of violation of any provision of this Citation.

1-24-2013
Date

Carl L. Carlucci
Carl L. Carlucci, P.E.
Supervising Sanitary Engineer, Merced District
Southern California Branch
DRINKING WATER FIELD OPERATIONS BRANCH

Attachments:

Attachment A: Summary of Bacteriological Samples collected in June 2012
Attachment B: Tier 2 Public Notification
Attachment C: Proof of Notification
Attachment D: Positive Total Coliform Investigation form

CLC/mrw/2210906/Cit 03-11-13C-002.doc

